

Discovery Comes From
D.A.'s Office
In the Circuit Court of Houston Co

The State of
Alabama

VS

Travis Earl
Cummings

Case #

CC-04-1518

FILED

NOV 21 2005

JUDY BYRD, CLERK
HOUSTON CO. CLERK

Pro-Se
Motion of Discovery for Post
Conviction Remedy Purposes

Come now the defendant in said case to motion the court Pro-Se to receive all documents contained in said charge.

1. Defendant has reason to believe the prosecution use an escape charge which was not billed at grand jury. "1994".
2. Said charge also has a 15 year sentence on it.
3. Defendant received a 19 year sentence on a B+E of a vehicle charge because of said charge and the 15 year sentence.

4. Defendant has never been charged under the Habitual Offender Act.
5. Defendant's Attorney in said charge refuses to turn over documents contained in my personal file. Said Attorney also showed Defendant a copy of said document at probation hearing.
6. Said Attorney gave Defendant a copy of a notice of impeachment used in a prior case where the defendant was represented by another Attorney.
7. The proper notice has 5 felony convictions. Defendant has witnessed a copy of the proper document.
8. Defendant has exhausted every effort to get Attorney to turn over said document.

Submitted this date Nov. 22, 2005

Signed: Travis Lunning

Dated: 11-22-05

Dear Mrs. Byrd

I wrote you a while back and asked you for a copy of my notice of impeachment for my B+E of a vehicle case I received 19 years for. My trial date is or was Aug 23, 2000 in Judge Anderson's court room.

Please send me a copy or send me instruction on obtaining a copy.

I also need a copy of my prior felony history report.

Any fee's for this should be taken from my inmate commissary fund. "Please" Any help you can give will be greatly appreciated.

Respectfully
James Cunningham

FILED

NOV 18 2005

Judy Byrd

JUDY BYRD, CLERK
HOUSTON CO., AL

Can't Process without
a case #.

IN THE CIRCUIT COURT OF HOUSTON COUNTY, ALABAMA

STATE OF ALABAMA,

PLAINTIFF,

VS.

Travis Earl Cummings

DEFENDANT.

CASE NO. CC 03 1151NOTICE TO DEFENDANT OF PREVIOUS CONVICTIONS AND NOTICE OF
INTENT TO USE SUCH CONVICTIONS FOR IMPEACHMENT PURPOSES

You are hereby notified that the District Attorney's Office has evidence of the following convictions, which, in the event of your conviction in the above case, will be presented to the court for consideration under the Alabama Habitual Offender Statute, Sec. 13A-5-9, Code of Alabama, 1975. Furthermore, it is the State's intent to use such convictions for impeachment purposes should the defendant testify at trial, Rules 609 (a), (b), (c) of the Alabama Rules of Evidence.

Date	Case No.	Charge	Disposition	Jurisdiction
3/8/93	CC 92415	B&E	3 years	Houston Co
3/8/93	CC 92416	B&E	3 years	Houston Co
3/8/93	CC 92658	Burglary	3 years	Houston Co
9/14/93	CC 93462	UPCS	2 years	Houston Co

You will be properly notified in the event the District Attorney receives evidence of any other or additional convictions.

This the 28th day of March 2005

Denise D. Bates
DENISE D. BATES

ASSISTANT DISTRICT ATTORNEY

CERTIFICATE OF SERVICE

I certify that I have served a copy of this motion on the Honorable Gary Hudgin
Attorney for the Defendant by placing a copy in his box at the Houston County Courthouse on 3/28/05

Denise Bates
DENISE BATES

JS

STATE OF ALABAMA

V.

Travis Earl Cummings*
*
*
*
*

IN THE CIRCUIT COURT OF

HOUSTON COUNTY, ALABAMA

CASE NO. CC 04-1518NOTICE TO DEFENDANT OF PREVIOUS CONVICTIONS AND NOTICE OF INTENT TO
USE SUCH CONVICTIONS FOR IMPEACHMENT PURPOSES

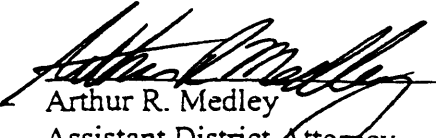
You are hereby notified that the District Attorney's Office has evidence of the following convictions, which, in the event of your conviction in the above case, will be presented to the Court for consideration under the Alabama Habitual Offender Statute, §13A-5-9, Code of Alabama, 1975. Furthermore, it is the State's intent to use such convictions for impeachment purposes should the defendant testify at trial, Rules 609(a), (b), and (c) of the Alabama Rules of Evidence.

Date	Charge	Disposition	Jurisdiction
3-8-93	B/E Motor Veh	3yrs	Houston Co., AL
"	B/E Motor Veh.	3yrs	"
"	Rec. Status Agg 2 ^o	5yrs	"
9-14-93	UPCS	2yrs	Houston Co., AL
4-11-95	UPCS	15yrs	Houston Co., AL

reverse and remanded

You will be properly notified in the event the District Attorney receives evidence of any other additional convictions.

This the 2nd day of December, 2004.


Arthur R. Medley
Assistant District Attorney

Certificate of Service

I, Arthur R. Medley, do hereby certify that I have this date served a copy of the foregoing on Eric Davis, attorney of record for the defendant, by placing a copy of the same in his/her mailbox at the Houston County Courthouse on this the 2nd day of December, 2004.


Arthur R. Medley

pk
JS

Parkman, Adams
&
Associates

James W. Parkman, III

R. Martin Adams, P.C.
Also licensed in Georgia

M. John Steensland, III, P.C.
Also licensed in Florida

William C. White, II, P.C.

An Association of Separate
Professional Corporation Law Practices
739 West Main Street
Dothan, AL 36301
(334) 792-1900
(334) 712-1352 FAX

Leonard Bowen
Legal Coordinator

Mark Johnson
Legal Intern

November 16, 2005

Houston County Jail
Inmate: Travis Earl Cummings
901 E. Main Street
Dothan, AL 36301

RE: State of Alabama vs. Travis Cummings

Dear Mr. Cummings:

Please find enclosed a copy of the case action summary that I pulled off Alacourt (an online database) regarding your Escape 2nd Charge. This paperwork shows that case was no billed by the Grand Jury on July 25, 1994.

Also enclosed is a copy of your **entire** file from the District Court clerk's office. For some reason, it does not show that the case was no billed. But I want to assure you that it does show in the system that your case was no billed. The ladies I talked to in the clerk's office were not sure why it is not reflected on the case action summary, but they also verified that it is reflected as a "No Bill" in the system.

I have also enclosed a copy of all the discovery in your Break/Enter Vehicle Case No.: CC-04-1518. Further, my office has had several conversations via telephone with ladies in the Pike County Child Support Division. We informed them of your status in Houston County and your wishes to take of the matter pending there. Diane Smith, with the Child Support Division, informed my office that they would try to set a hearing and have you brought before that court.

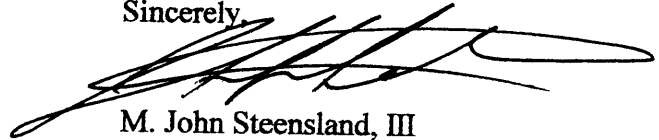
The reason for my delayed response to your letters was that I wanted to send you all of your requested information at the same time. I had to track your 1994 case file down in a storage facility separate from the Courthouse, so that is the main reason for the delay.

I took serious offense to the information and accusations contained in your recent letters. Should you make any other baseless accusations toward me that I am not being truthful or that I am some how cooperating with the prosecution, I will immediately file a motion to withdraw

from your case. If you feel that you cannot trust me or Mr. Adams, then you should tell us that you would like another attorney and we will inform Judge Anderson of your request. Having said that, I want to assure you that we will (and are) working hard in your defense in your pending cases.

Please write me a letter if you have any further questions and I will respond as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. John Steensland, III', with a long horizontal flourish extending to the right.

M. John Steensland, III

INDICTMENT

The State of Alabama
Houston County

}

CIRCUIT COURT
TWENTIETH JUDICIAL
JULY TERM, 2004

COUNT 1

The Grand Jury of said county charge that, before the finding of this indictment, TRAVIS EARL CUMMINGS whose name is otherwise unknown to the Grand Jury, did, without the consent of the owner, DEBRA TEMPLE, break into and enter a vehicle, to-wit: 1997 NISSAN QUEST VAN, or any part of the said vehicle with the intent to commit a felony or theft therein, to-wit: THEFT, in violation of Section 13A-8-11 of the Code of Alabama, against the peace and dignity of the State of Alabama.

25 + priors

Douglas Albert Valeska
District Attorney

THE STATE OF ALABAMA
Houston County

Witnesses for Agency No. 0104005402

THE CIRCUIT COURT
Twentieth Judicial Circuit

BOBBY ASHLEY, POLICE DEPT, DOTHAN, AL 36301
MIKE CIRULLI, DPD, DOTHAN, AL 36301
TOBY KIDNEY, DPD, DOTHAN, AL 36301
AMANDA ROLAND, 230 J SAUNDERS RD., SLOCOMB, AL 36375
JOHN CPL. SKIPPER, DPD, DOTHAN, AL 36301
DEBRA TEMPLE, 1749 BODIFORD RD, PANSEY, AL 36370

THE STATE
vs.

TRAVIS EARL CUMMINGS

Charges: 1. UNLAWFUL BREAKING AND ENTERING A MOTOR VEHICLE



alacourt.com's

Alabama SJIS CC/DC Case Detail

Settings

Disposition

Sentence

Case Action Summary

Witness List

Financial

Enforcement

Case							
County	38 HOUSTON	Case Number	DC 1994 001193 00	JID	MJS	DEF Status	J JAIL ESTS: A
Name	CUMMINGS TRAVIS EARL			Alias			
Address 1	909 WILDER AVE			Alias			
Address 2				SID	000000000	YDate	
Zip	36303 0000 DOTHAN AL US			AS		PR	0000 000000 00
DLNO		DOB	01151970	SSN	420981709	Race/Sex	B/M
Height	5 11	Weight	180	Eyes	BRO	Hair	BLK
Filed	06161994	AAGCY	S	Muni#	00	City	
Arrest	06151994	OffDT	06131994	ORI	003025C	OFFC	BROWDER
Indict		Grand Jury	161-08	Atty 1	RAM010 A	Tkt#	94 3872
Bond	0000500000	Type		Bond Co		REL	00000000
Sure		CWIT	001 JAMES A BROWDER	JDMD		APPL	
Tracking No's	0000 000000 00 / 0000 000000 00 / 0000 000000 00						
Date	1 06161994	Que	001	Time	0200 P	Desc	APPL
Charge 1	ESC2	ESCAPE 2ND DEGREE		13A-010-032	F GP	Counts	001
Charge 2							Counts
Charge 3							Counts
More	Dom Viol						Case Type F Case Cat GP
Comment							
Settings							
Date 1	06161994	Que	001	Time	0200 P	Desc	APPL DIST. COURT APPEA
Date 2	07251994	Que	001	Time	0830 A	Desc	PLMH PREL HEARING
Date 3		Que	000	Time	0000	Desc	
Date 4		Que	000	Time	0000	Desc	
Prosecutor		Atty 1	RAMSEY RICHARD H IV		Atty 2		
Flag	N	Flag	Y	Flag	Y		
WARISS		WARACT		WARLOC			
BP ISS		BP RTN					
Disposition							
CRT ACT	V WAIVED TO GJURY	CADATE	07251994	Jury	Y	More	
Charge 1	ESC2 ESCAPE 2ND DEGREE 13A-010-032 F G			Counts		CA	
Charge 2				Counts		CA	
Charge 3				Counts		CA	
Admin		Why		TBNV1		TBNV2	
Appeal		CAPP	T	Type	GJCA	GJCA	
Cont Dt		Why		Cont#	00	DOM VIOL	
Comment	WARRANT ISSUED 061394						
CMP:Y	SPRO:U	Due	0000000000	Warr:000	SUBP:001	Updated	07281994
Sentence							
Sent		Begin		End		PRB BEG	
IMP CONF	00 00 000	SUSP CONF	00 00 000	TOTAL CONF	00 00 000	JAIL CRED	00 00 000
LICN SUSP	00 00 000	PROBATION	00 00 000	PRB REV	00000000		
Monetary:	COST	FINE IMP:	00000000	SUSP:	00000000	CVCC	HIS
	WCCS	MCOS	00000000	JFEE	00000000	DRGF	0 ASU
	WCDA	REMB	00000000	3CVC	00000000	WARR	000 USF
	PREL	DRUG	00000000	RCUP	00000000	X SUBP	001
	RES1	00000000	RES2	00000000	RES3	00000000	

	RES4 00000000	RES5 00000000	RES6 00000000
Confine:	PENT	LIFE	LWOP
	JAIL	CCUR	CSEC
Programs:	JDVR	IPROB	AASCH
	PTRL	BCSCH	MNTL
Enhanced:	PROJ	CNOT	SCH
	DRUG CODE:	MEAS:	VOL: 00000000
SEC/CUR:	00	00000000000000	00
Comment:			
BAL DUE		DUE	CRO
Case Action Summary			Updated 07281994

Date	Time	Code	Comments	Operator
06131994	0805	OFDT	OFFENSE DATE OF: 06/13/94	ANA
06151994	0805	ARRS	DEFENDANT ARRESTED ON: 06/15/94	ANA
06151994	0815	DAT1	CASE SET ON 06/16/94 FOR DIST. COURT APPEA	ANA
06161994	0805	FILE	ON 06/16/94 FILED	ANA
06161994	0815	CHG1	CHARGE AT FILING OF: ESCAPE 2ND DEGREE	ANA
06161994	0822	BOND	BOND SET FOR \$5,000.00	ANA
06161994	0841	ATY1	ATTORNEY FOR DEFENDANT: RAMSEY, RICHARD H, IV	ANA
07041994	0805	DAT2	CASE SET ON 07/25/94 FOR PREL HEARING	ANA
07041994	0815	SUBP	WITNESS SUBPOENA ISSUED	ANA
07251994	0805	CADA	CASE DISPOSED ON 07/25/94 BY: WAIVER	ANA

↳ means "No billed"

- Go to CLO

ALABAMA BOARD OF PARDONS AND
PAROLES

REPORT OF INVESTIGATION

Type of Investigation: PREPROB
Name: CUMMINGS TRAVIS EARL
Alias:
RS BM **DOB:** 01/15/1972 **Est. Age:** 33 **Height and Weight:** 5'11" | 180
Complexion: MED **Color of Hair:** BLK **Color of Eyes:** BLK
Bodily Marks:
Driver's License: AL **SSN:** 420981709
AIS#: 172018 **FBI#:** 218527PA5 **SID:** AL01206423
Phone #: 0000000000
Address: 909 WILDER AVE
DOTHAN, AL 36303

OFFENSE(S) OF INVESTIGATION

County: Houston **Case #:** CC 2004 001518.00
Offense(s): BREAK/ENTER VEHICLE

Sentence(s)	Date	Begin Date	Conf Imp	Conf Susp	Probation	Restitution
BREAK/ENTER VEHICLE : G	08/24/2005		Y19 M00 D000			\$ 0.00

Date of Arrest: 06/10/2004
Judge: LARRY K ANDERSON
Attorney: ADAMS RICHARD MARTIN
Court Ordered Restitution: \$0

Date of Bond:
D.A.: MEDLEY ARTHUR ROSS
Retained:
Bond Amt.: \$ 10000.00
Appointed: C

NOTES:

PRESENT OFFENSE(S)**County Court
and Case
Number:**

Houston, CC 2004 001518.00

Offense(s)

BREAK/ENTER VEHICLE

Sentence(s)	Date	Begin Date	Conf Imp	Conf Susp	Prob.	Rest.
BREAK/ENTER VEHICLE : G	08/24/2005		Y19 M00 D000			\$ 0.00

**Date of
Sentence:****Details of
Offense:**

(1) On June 10, 2004, Travis Earl Cummings, the defendant, rode his bicycle to 1146 Ross Clark Circle, Dothan, Once there, the defendant broke the passenger side door window of a 1997 Nissan Quest Van. Amanda Roland, the witness, saw the defendant on his bicycle standing on the passenger side of the vehicle as he was reaching into the vehicle. Roland contacted the Dothan Police Department ,reported this crime, and gave a description of the defendant and his bicycle. Officer Ashley stopped the defendant in the area of the reported crime. The defendant had personal property on his person, which was stolen during the crime. The property was identified by the owner of the car.

**On Probation At
Arrest:**

No

**On Parole At
Arrest:**

No

**Serious
Physical Injury
Barring Parole:**

No

**Subject's
Statement:****Case Status of
Co-defendants:**

(1) None

**Victim
Notification
Information:****Victim Impact:****Victim Age:**

None

**Location of
Offense:**

Dothan, Alabama

**Court Ordered
Restitution:**

\$0

RECORD OF ARREST(S)

Date	Agency ORI	Type	Charge	Disposition
01/28/1992	Houston County Sheriff's Department	Prior Adult	Breaking and Entering-38-CC-92- 415	Other: 03-08-93- Convicted- Sentenced to 3 Years.

02/19/1992	Houston County Sheriff's Department	Prior Adult	Breaking and Entering-38-CC-92-416	Other: 03-08-93- Convicted-Sentenced to 3 Years.
03/30/1992	Houston County Sheriff's Department	Prior Adult	Charge 1-Receiving Stolen Property-Charge 2- Burglary 3rd-38-CC-92-658	Other: 03-08-93- Convicted-Sentenced to 5 Years.
02/06/1993	Houston County Sheriff's Department	Prior Adult	Unlawful Possession Of A Controlled Substance-38-CC-93-462	Other: 09-14-1993- Convicted-Sentenced to 2 Years.
06/08/1994	Houston County Sheriff's Department	Prior Adult	Unlawful Possession Of A Controlled Substance-38-CC-94-571	Other: 04-11-1995- Convicted-Sentenced to 15 Years.
06/13/1994	Houston County Sheriff's Department	Prior Adult	Escape 2nd-38-DC-94-1193	Other: 04-11-95-Convicted-Sentenced to 15 Years
07/26/1998	Dothan Police Department	Prior Adult	Obstruction Of Justice- Attempting to Elude	Other: 11-23-98- Guilty
02/17/2001	Daleville Police Department	Prior Adult	Receiving Stolen Property 2nd-26-CC-01-165	Other: 09-07-01- Convicted-Suspended 6 Months
09/27/2002	Dothan Police Department	Prior Adult	Making A False Report	Other: 02-17-03- Guilty
04/23/2003	Dothan Police Department	Prior Adult	Domestic Violence 3rd	Other: 09-18-03- Guilty
06/11/2003	Houston County Sheriff's Department	Prior Adult	Assault 3rd-38-CC-03-1151	Other: 04-12-04- Convicted-Sentenced to 12 Months
09/10/2003	Dothan Police Department	Prior Adult	Making A False Report	Other: 10-13-03- Guilty

PERSONAL/SOCIAL HISTORY

Marital Status/History

Name	Address	DOB	DOD	Marriage Begin/End
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Housing History

Orphanage:

Homeless:

Foster Home:

Other Institution:

Boarding School:

Health

Physical Disability:

Mental Disability:

Psychological Report:

Prescribed Medications:

Defendants Opinion
Of Drug Problem:

Past Drugs:

Treatment History:

Present Drugs:

Defendants Opinion
Of Alcohol Problem:

Education**High School**

Last Grade Completed	Name/Year	If DropOut, Reason why:
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College

Last Level Completed	Name/Year	If DropOut, Reason why:
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Further Education/Training

Type	Place	Length	Completed
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Financial Status**Owns:****Employment History**

Type/Employer	Begin Date	# Months	Pay	Reason For Leaving
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Military Record

Registered W/Selective Service	Served	Length Of Service	Discharge Type
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Discharge Reason	Highest\Discharge Rank	Military Job Title	Medals/Awards
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Notes:**Offender's Family****Parents**

Father	Address	DOB	Felony Conv.	Deceased
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Mother	Address	DOB	Felony Conv.	Deceased
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Siblings

Name	Address	DOB	Felony Conv.
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Notes:**Personal Relationship****Relationship w/father:**

Relationship w/mother:

Relationship w/siblings:

PROBATION PLAN

Home

Living With

Address

Relation

Employment

Employer

Address

Phone

Pay Rate

Treatments

Treatment Type

Treatment Description

Officer Remarks:

The Dothan Police Department has an outstanding warrant for Breaking and Entering. This subject failed to contact this office for an interview and his attorney, Martin Adams, was notified on September 12, 2005.

Recommendations To Court:

This subject is not a good candidate for probation.

Signed and dated

Alabama the 22 day of September 2005

KEMP DAVID

Alabama Probation and Parole Officer

Reviewed By

PBF 203

SD12 STATEWIDE INDEX BROWSE
NAME: CUMMINGS TRAVIS

COUNTY: 38 HOUSTON
DIV: CC COU: 38 HOUSTON

VIEW: 1 SDXSD12

INDEX NAME	CO/CASE NUMBER	JID CHARGE/RNDX	S T BIRTH DT	S R C X C A	CADATE/ TRL/PRTY	Y O
CUMMINGS TRAVIS E	38CC199200041500	SEJ BREAKING & E J	01151970	M B G	03081993	
CUMMINGS TRAVIS E	38CC199200041600	SEJ BREAKING & E J	01151972	M B G	03081993	
CUMMINGS TRAVIS E	38CC199200065800	SEJ BURGLARY 3RD J	01151970	M B G	03081993	
CUMMINGS TRAVIS E	38CC199300046200	SEJ UNLAW POSS/R I	01151970	M B G	09141993	
CUMMINGS TRAVIS E	38CC199400057100	CLL POSS/REC CON K	01151970	M B G	04111995	
CUMMINGS TRAVIS E	38CC199400057160	CLL RULE 32-FELO A	01151970	M B W	02201997	
CUMMINGS TRAVIS E	38CC200300115100	CLL ASSAULT 3RD A	01151970	M B G	04122004	
CUMMINGS TRAVIS E	38CC200400151800	LKA BREAK/ENTER K	01151970	M B G	08242005	
CUMMINGS TRAVIS E	38CC200500173600	JMW BURGLARY 1ST A	01151970	M B	12202005	